

AMENDED IN ASSEMBLY APRIL 28, 1997

AMENDED IN ASSEMBLY APRIL 9, 1997

CALIFORNIA LEGISLATURE—1997–98 REGULAR SESSION

## **ASSEMBLY BILL**

**No. 317**

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**Introduced by Assembly Member Ortiz**

February 14, 1997

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An act to amend Section 11465.5 of the Welfare and Institutions Code, relating to human services.

### LEGISLATIVE COUNSEL'S DIGEST

AB 317, as amended, Ortiz. Foster care.

Existing law provides for the Aid to Families with Dependent Children-Foster Care (AFDC-FC) program, under which payments are made on behalf of low-income children placed in foster care, including certain qualified placements with relatives. Existing law also provides for the Aid to Families with Dependent Children (AFDC) program, under which each county provides cash assistance and other benefits to qualified low-income families. Payment rates under this program are lower than that provided for under the AFDC-FC program.

Existing law requires the State Department of Social Services, if federal approval is obtained, and if counties agree to participate, to establish 5-year pilot projects in 5 specified counties. The projects involve only specified dependents of the court who are placed with relatives and who are receiving federal AFDC-FC payments.

This bill would ~~include Sacramento County among the counties that may agree~~ *expand this program to include any county that elects to participate.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 11465.5 of the Welfare and  
2 Institutions Code is amended to read:

3 11465.5. (a) The department shall conduct five-year  
4 ~~pilot projects in Alameda County, Contra Costa County,~~  
5 ~~Sacramento County, Solano County, Tulare County, and~~  
6 ~~Yuba County, at the option of each county. The pilot~~  
7 ~~projects in any county that elects to participate, at the~~  
8 ~~option of the county. The~~ department shall not be  
9 required to conduct any pilot projects under this section  
10 if no county elects to participate.

11 (b) The Legislature finds and declares that this  
12 program will enhance family preservation and stability  
13 by recognizing that many children are in long-term,  
14 stable placements with relatives, that these placements  
15 are the permanent plan for the child, that dependencies  
16 can be dismissed pursuant to Section 388 with custody or  
17 guardianship to the relative caretaker, and that there is  
18 no need for continued government intervention in the  
19 family life through ongoing, scheduled court and social  
20 services supervision of the placement.

21 (c) Participation by a relative in a pilot project shall be  
22 voluntary, and the county shall nominate cases for  
23 participation. The county and a relative shall execute a  
24 long-term kinship care agreement, to be developed by  
25 the department, which specifies the details of this  
26 arrangement.

27 (d) Each pilot project shall, at a minimum, ensure all  
28 of the following:

29 (1) Only a child who is a dependent of the court, who  
30 has been in a stable placement with a relative for not less  
31 than one year after the initial permanency planning  
32 hearing placing the child with that relative, and who is

1 receiving federal AFDC-FC payments shall be eligible  
2 under this section.

3 (2) Each participating child's AFDC-FC and Medi-Cal  
4 eligibility is maintained, in order to adequately support  
5 the long-term placement.

6 (3) A child participating in a pilot project shall  
7 continue to receive the basic foster care payment rate in  
8 accordance with Section 11461.

9 (4) The eligible cases shall be dismissed pursuant to  
10 Section 388, with custody or guardianship to be given to  
11 the relative caretaker.

12 (5) A relative shall have adequate legal protection and  
13 consent authority.

14 (e) The department and the pilot counties, or an  
15 entity contracting with the department and the pilot  
16 counties, shall conduct an evaluation of the pilot projects.  
17 The evaluation shall include outcome measures that  
18 address the quality of care provided to participating  
19 children and the overall cost-effectiveness of the projects  
20 for participating counties and the state. The results of the  
21 evaluation shall be provided to the Legislature and the  
22 Governor.

23 (f) Any savings that accrue to the department as a  
24 result of this section shall revert to the General Fund.  
25 Savings that accrue to a participating county shall,  
26 however, accrue to that county's social services  
27 subaccount in its local health and welfare trust fund.

28 (g) This section shall become operative only if the  
29 director executes a declaration, that shall be retained by  
30 the director, stating that the necessary federal approval  
31 for implementation of this section has been obtained, and  
32 only for the duration of that approval.

